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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

CHASOM BROWN, WILLIAM BYATT,
 JEREMY DAVIS, CHRISTOPHER
 CASTILLO, and MONIQUE TRUJILLO
 individually and on behalf of all other similarly
 situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

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Case No.: 4:20-cv-03664-YGR-SVK

**DECLARATION OF MARK C. MAO IN
 SUPPORT OF PLAINTIFFS' MOTION
 FOR AN AWARD OF ATTORNEYS'
 FEES, COSTS, AND SERVICE AWARDS**

Judge: Hon. Yvonne Gonzalez Rogers
 Date: August 7, 2024
 Time: 2:00 p.m.
 Location: Courtroom 1 – 4th Floor

DECLARATION OF MARK C. MAO

I, Mark C. Mao, declare as follows.

1. I am a partner with the law firm of Boies Schiller Flexner LLP (“BSF”), counsel for Plaintiffs in this matter. I am an attorney at law duly licensed to practice before all courts of the State of California. I have personal knowledge of the matters set forth herein and am competent to testify.

2. I submit this declaration in support of Plaintiffs’ Motion for an Award of Attorneys’ Fees, Costs, and Service Awards (the “Motion”).

3. My colleagues met and conferred with counsel for Google to discuss Class Counsel’s requested attorneys’ fees. The parties were unable to come to an agreement. But the parties did reach agreement on a briefing schedule for the Motion, as well as the process by which Google will treat Class Counsel’s billing and costs records.

4. I respectfully incorporate herein my declaration filed with Plaintiffs’ Unopposed Motion for Final Approval of Class Action Settlement, which provided a summary of Class Counsel’s efforts in this case. Dkt. 1097-2 (“Mao Final Approval Declaration”). In this Declaration, I will elaborate on a few points.

5. The Mao Final Approval Declaration addressed the extensive number of depositions in this case, including by explaining that Plaintiffs obtained deposition testimony from 27 Google employees. *Id.* ¶¶ 6, 8.

6. To elaborate, there were 33 depositions of current and former Google employees in this case (some people were deposed more than once). There were also 13 expert depositions (over 14 days), and one deposition for each of the named Plaintiffs. In total, there were 51 depositions in this case. These figures include 30(b)(6) depositions. Plaintiffs served three Rule 30(b)(6) deposition notices, and Google in turn designated eight witnesses for those topics. The 51 depositions in this case figures do not even include the depositions that Plaintiffs attended and/or received from the related *Calhoun v. Google* case, Case No. 4:20-cv-05146-YGR-SVK.

7. The Mao Final Approval Declaration also addressed the extensive number of documents produced by Google in this case. Dkt. 1097-2 ¶ 4. To elaborate, over 700,000

1 documents were produced in September 2021 or later, with just four months before the January
2 2022 close of fact discovery.

3 8. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts from the
4 transcript of the October 11, 2022 hearing in this case on Plaintiffs' motion for class certification.

5 9. Attached hereto as **Exhibit 2** is a chart reflecting the current hourly rates for all
6 timekeepers included with the Motion, for all three Class Counsel firms.

7 10. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts of Wolters
8 Kluwer's 2023 Real Rate Report.

9 11. Attached hereto as **Exhibit 4** is a true and correct copy of a document that Google
10 produced in discovery in this case, labeled GOOG-BRWN-00806426.

11 12. Attached hereto as **Exhibit 5** is a true and correct copy of a document that Google
12 produced in discovery in this case, labeled GOOG-BRWN-00441285.

13 13. Attached hereto as **Exhibit 6** is a true and correct copy of a document that Google
14 produced in discovery in this case, labeled GOOG-BRWN-00406065.

15 14. Attached hereto as **Exhibit 7** is a true and correct copy of a document that Google
16 produced in discovery in this case, labeled GOOG-CABR-03827263.

17 15. Attached hereto as **Exhibit 8** is a true and correct copy of a document that Google
18 produced in discovery in this case, labeled GOOG-CABR-04780837.R.

19 16. Attached hereto as **Exhibit 9** is a true and correct copy of excerpts from the
20 transcript of the November 29, 2023 Pretrial Conference hearing in this case.

21 17. Attached hereto as **Exhibit 10** is a true and correct copy of excerpts from the
22 transcript of the May 12, 2023 hearing in this case on Google's motion for summary judgment.

23 18. Attached hereto as **Exhibit 11** is a true and correct copy of excerpts from the
24 transcript of the April 29, 2021 discovery hearing in this case.

25 19. Attached hereto as **Exhibit 12** is a true and correct copy of the main landing page
26 of DeleteMe's website, <https://joindeleteme.com/privacy-protection-plans/>.

27 20. Attached hereto as **Exhibit 13** is a true and correct copy of the main landing page
28 of Incogni's website, <https://incogni.com/pricing>.

22. Attached hereto as **Exhibit 15** is a true and correct copy of excerpts from the deposition transcript of Plaintiff William Byatt, taken on December 20, 2021.

23. Attached hereto as **Exhibit 16** is a true and correct copy of the Affidavit of David Cooper In Support of Plaintiffs' Application for Attorneys' Fees, submitted on March 17, 2023 in the case of *In re Dell Techs. Inc. Class V Stockholders Litig.*, Case No. 2018-0816-JTL (Del. Ch. Ct).

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed on April 23, 2024, at San Francisco, California.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed on April 23, 2024, at San Francisco, California.

Mark C. Mao